

Applicant/Patentee : Peter J. Wilk
Serial/Patent No. : Not Yet Assigned
Filed/Issued : Not Yet Assigned
For : Method and Device for Improving Cardiac Function
Attorney's Docket No. : W07-431

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Wilk Patent Development Corporation
ADDRESS OF CONCERN 160 Third Avenue, New York, NY 10003

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled:

Method and Device for Improving Cardiac Function by inventor(s)
Peter J. Wilk described in

☒ the specification filed herewith.

☐ application serial no. _____, filed _____.

☐ patent no. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

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DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, post office and citizenship as stated below under my name.

I believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND DEVICE FOR IMPROVING CARDIAC FUNCTION, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to me to be material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)

NUMBER	COUNTRY	(DAY/MONTH/YEAR FILED)	PRIORITY CLAIMED
_____	_____	_____	__ YES __ NO
_____	_____	_____	__ YES __ NO

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application listed below and, insofar as the subject matter of each of the claims of this application

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APPLICATION SERIAL NO.	FILING DATE (DAY/MONTH/YEAR)	STATUS Patented,Pending,Abandoned
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09/121,477 23/07/1998 Pending

Please address all correspondence regarding this application to:

Direct all telephone calls to R. Neil Sudol at (212) 679-0090.

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Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR: Peter J. Wilk

INVENTOR'S SIGNATURE: Peter J. Wilk

DATE: 11/6/99

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COUNTRY OF CITIZENSHIP: United States of America

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